



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 415 be amended to read as follows:

- 1       Page 18, line 13, delete "before" and insert "**not later than fifty-one**
- 2       **(51) days after the first tax payment due date each calendar year.**".
- 3       Page 18, delete line 14.
- 4       Page 19, line 41, delete "may, at" and insert "**may:**
- 5       **(1) after January 1 of each calendar year in which a tax sale**
- 6       **will be held in the county; and**
- 7       **(2) not later than fifty-one (51) days after the first tax**
- 8       **payment due date in that calendar year;**
- 9       **certify to the county auditor that a property is not suitable for tax**
- 10       **sale. The certification must identify the names and addresses of**
- 11       **each person with a substantial property interest of record. When**
- 12       **making the application for judgment under section 4.6(b) of this**
- 13       **chapter, the county auditor shall include a list of the properties**
- 14       **certified not suitable for tax sale and the names and addresses of**
- 15       **each person with a substantial property interest of record in the**
- 16       **certified properties that was provided to the county auditor with**
- 17       **the certification.**".
- 18       Page 19, delete line 42.
- 19       Page 20, delete lines 1 through 4.
- 20       Page 20, line 24, delete "one (1) year" and insert "**one hundred**
- 21       **twenty (120) days**".
- 22       Page 21, line 32, reset in roman "five".
- 23       Page 21, line 33, reset in roman "percent (5%)".
- 24       Page 21, line 33, delete "using the adjusted rate of".
- 25       Page 21, delete line 34.
- 26       Page 21, line 35, delete "of state income tax under IC 6-8.1-10-1,".
- 27       Page 21, line 39, reset in roman "at the rate of five percent (5%)".

- 1 Page 21, line 39, delete "using the".
- 2 Page 21, delete line 40.
- 3 Page 21, line 41, delete "late payments of state income tax under
- 4 IC 6-8.1-10-1,".
- 5 Page 29, line 37, delete "." and insert "**under IC 6-1.1-24-1.7.**".
- 6 Page 30, line 37, delete "may" and insert "**shall**".
- 7 Page 30, delete lines 39 through 42, begin a new line block indented
- 8 and insert:
- 9 "**(1) contains hazardous waste or another environmental**
- 10 **hazard; or**
- 11 **(2) has unsafe building conditions;**
- 12 **for which the cost of abatement or remediation will exceed the fair**
- 13 **market value of the property.**".
- 14 Page 31, delete lines 1 through 3.
- 15 Page 31, line 25, delete "disbursed in the same manner as if such"
- 16 and insert "**applied in accordance with IC 6-1.1-25-9(a).**".
- 17 Page 31, delete lines 26 through 27.
- 18 Page 40, delete lines 38 through 42.
- 19 Delete page 41.
- 20 Page 42, delete lines 1 through 23.
- 21 Page 45, line 12, delete "one (1) year" and insert "**one hundred**
- 22 **twenty (120) days**".
- 23 Page 45, line 40, delete "one (1) year" and insert "**one hundred**
- 24 **twenty (120) days**".
- 25 Page 46, delete lines 12 through 42.
- 26 Page 47, delete lines 1 through 34.
- 27 Page 67, between lines 11 and 12, begin a new paragraph and insert:
- 28 "SECTION 46. IC 34-30-26-7, AS ADDED BY P.L.66-2014,
- 29 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2015]: Sec. 7. (a) This section applies to real property for
- 31 which **the executive of** a city, town, or county **or an enforcement**
- 32 **authority (as defined by IC 36-7-9-2)** has obtained a judgment
- 33 **determination of abandonment** under ~~IC 32-30-10-6~~ **that the real**
- 34 **property is (1) vacant; or (2) abandoned; due to a request for a**
- 35 **determination by an enforcement authority. IC 36-7-37 or IC 36-7-9.**
- 36 (b) A city, town, or county may provide a potential purchaser or a
- 37 potential lender to a person who may want to purchase the real property
- 38 an opportunity to visually inspect the real property, if accompanied by
- 39 the appropriate enforcement authority. The appropriate enforcement
- 40 authority may accompany the person in inspecting the real property and
- 41 may enter upon the real property, including any structure located on the
- 42 real property, to visually inspect the real property to determine whether
- 43 the real property may be desirable. For purposes of a visual inspection
- 44 under this section, a potential purchaser or a potential lender may not:
- 45 (1) request a utility provider or the city, town, or county to
- 46 connect or turn on utilities to the real property; or

- 1           (2) physically disturb or alter the real property.  
2           (c) An enforcement authority or a person that enters upon the  
3 premises of real property as permitted under this section:  
4           (1) is immune from civil liability for an act or omission related to  
5 the entry, unless the act or omission constitutes gross negligence  
6 or willful, wanton, or intentional misconduct; and  
7           (2) shall be held harmless from and against all claims of civil or  
8 criminal trespass."  
(Reference is to SB 415 as printed January 30, 2015.)

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Senator MERRITT